



Finance and Corporate Services Committee Agenda

Monday, January 5, 2026, 4:00 p.m. - 4:30 p.m.

Council Chambers - Hybrid

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

People interested in participating in this meeting can register online using the delegation registration form at www.kitchener.ca/delegation or via email at delegation@kitchener.ca. Please refer to the delegation section on the agenda below for registration in-person and electronic participation deadlines. Written comments received will be circulated prior to the meeting and will form part of the public record.

The meeting live-stream and archived videos are available at www.kitchener.ca/watchnow.

Accessible formats and communication supports are available upon request. If you require assistance to take part in a city meeting or event, please call 519-741-2345 or TTY 1-866-969-9994.

Chair: Councillor S. Davey

Vice-Chair: Councillor B. Ioannidis

Pages

1. Commencement

2. Disclosure of Pecuniary Interest and the General Nature Thereof

Members of Council and members of the City's local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared, please visit www.kitchener.ca/conflict to submit your written form.

3. Consent Items

The following matters are considered not to require debate and should be approved by one motion in accordance with the recommendation contained in each staff report. A majority vote is required to discuss any report listed as under this section.

3.1 None.

4. Delegations

Pursuant to Council's Procedural By-law, delegations are permitted to address the Committee for a maximum of five (5) minutes. All Delegations where possible are encouraged to register prior to the start of the meeting. For Delegates who are attending in-person, registration is permitted up to the start of the meeting. Delegates who are interested in attending virtually must register by 1:30 p.m. on January 5, 2025 in order to participate electronically.

4.1 None at this time.

5. Discussion Items

5.1	Adjournment of Development Charges Complaints - 15 Dellroy Avenue and 1438 Highland Road, FIN-2026-015	15 m	3
	NOTE: These reports listed as items 5.1.a and 5.1.b would only be considered in the event that the Tribunal chooses not to approve the staff supported adjournment.		
5.1.a	Savic Homes, 1438 Highland Road West, Section 20 Development Charges Complaint - Jurisdiction, FIN- 2026-016	15 m	6
5.1.b	Savic Homes, 15 Dellroy Avenue - Section 20 Development Charges Complaint - Jurisdiction, FIN-2026-017	15 m	8

6. Information Items

6.1 None.

7. Adjournment

Marilyn Mills
Committee Coordinator

Staff Report



Financial Services Department

www.kitchener.ca

REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: January 5, 2026

SUBMITTED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

PREPARED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

WARD(S) INVOLVED: Wards 2 & 7

DATE OF REPORT: December 17, 2025

REPORT NO.: FIN-2026-015

SUBJECT: Adjournment of Development Charge Complaints – 15 Dellroy Avenue and 1438 Highland Road

RECOMMENDATION:

That the request to adjourn the hearing related to the complaint of development charges at 15 Delroy Avenue and 1438 Highland Road until no later than February 9, 2025 be granted.

REPORT HIGHLIGHTS:

- The purpose of this report is to support the requested adjournment of two hearings related to development charge complaints received under section 20 of the *Development Charges Act*, concerning two properties, to a future Committee meeting to be held no later than February 9, 2025.
- The key finding of this report is that staff agree with the request for the adjournment to permit City staff to meet with the developer and their legal counsel on a without prejudice basis before any proceedings take place to discuss the possibility of settlement.
- This report supports the delivery of core services.

BACKGROUND:

Two complaints were filed by 2296342 Ontario Inc. (Savic Homes) with the City of Kitchener regarding the development charges (DCs) imposed for developments at 15 Dellroy Avenue and 1438 Highland Road West. Complaints of this nature are permitted under section 20 of the *Development Charges Act (DCA)*. City of Kitchener Council has delegated authority to hear these complaints to the Finance and Corporate Services Committee as part of report COR-2022-498, Development Charges Section 20 Dispute and Hearing Process.

REPORT:

After receiving the formal complaints regarding DCs at 15 Dellroy Avenue and 1438 Highland Road West, staff served a meeting notice scheduled for January 5, 2025 to request authority from the Tribunal (Finance Services Committee) as to whether or not the complaints should

proceed to a Section 20 hearing. The timing of the hearing is important as there are legislated timelines that must be met.

Shortly after serving notice, the City was contacted by Loopstra Nixon LLP who are representing Savic Homes on these matters. They are requesting an adjournment of the meeting in order to meet with staff on a without prejudice basis to see if there is an opportunity to settle the matters without a formal hearing.

Staff are agreeable to an adjournment until no later than February 9, 2025 as this will allow some time to try and mediate the dispute, but will still ensure the hearing is scheduled in the near future to keep moving towards a resolution.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

The recommendation has no direct impact on the Capital or Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- COR-2022-498 Development Charges Section 20 Dispute and Hearing Process

APPROVED BY: Jonathan Lautenbach, Chief Financial Officer, Financial Services

ATTACHMENTS:

Attachment A – Letter from Loopstra Nixon LLP, Legal Representatives for Savic Homes



Steven C. Ferri*
*Steven C. Ferri Professional Corporation
Tel: (416) 748-4752
E-mail: sferri@LN.Law

BY EMAIL [\[Dianna.Saunderson@kitchener.ca\]](mailto:Dianna.Saunderson@kitchener.ca)

December 18, 2025

The Corporation of City of Kitchener
200 King St W
Kitchener, ON N2G 4V6

Dear Ms. Saunderson,

RE: Development Charges Complaint
Complaint Made Pursuant to Section 20 of the Development Charges Act, 1997, S.O.
1997, c. 27
Complaints respecting 15 Dellroy Avenue and 1438 Highland Road Kitchener, ON

Thank you for your correspondence dated December 17, 2025.

Please consider this correspondence as a formal request for an adjournment of the hearing currently scheduled for January 5, 2026, in respect of development charge complaints filed for Savic Homes' Highland and Dellroy properties. As per your suggestion, we request that this matter be deferred for consideration to the committee meeting scheduled for February 9, 2026.

This request for a deferral is in the interest of permitting the parties more time to resolve the outstanding issues between them. In our view, a meeting between legal counsel, all relevant municipal staff, and Savic Homes' technical consultants would be helpful towards resolving and/or narrowing the current dispute.

If the City is agreeable to the foregoing, please provide written confirmation of same.

On behalf of our client, we are currently coordinating schedules internally to assist in finding a mutually agreeable meeting time in January of 2026. We will provide these shortly.

Yours truly,

LOOPSTRA NIXON LLP

Per: Steven C. Ferri

Staff Report



Financial Services Department

www.kitchener.ca

REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: January 5, 2026

SUBMITTED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

PREPARED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

WARD(S) INVOLVED: Ward 7

DATE OF REPORT: December 16, 2025

REPORT NO.: FIN-2026-016

SUBJECT: Savic Homes, 1438 Highland Road West – Section 20 Development Charges Complaint - Jurisdiction

RECOMMENDATION:

That the appeal to hold a hearing pursuant to section 20 of the *Development Charges Act* with relation to the development taking place at 1438 Highland Road West be dismissed as the complaint was not made within the appropriate timeframe.

REPORT HIGHLIGHTS:

- The purpose of this report is to determine whether Committee has jurisdiction to hear a complaint regarding development charges at 1438 Highland Road West.
- The key finding of this report is the complaint was made outside the 90-day timeframe spelled out in the *Development Charges Act*, so no hearing should be held.
- This report supports the delivery of core services.

BACKGROUND:

A complaint was filed with the City of Kitchener regarding the development charges (DCs) imposed for a development at 1438 Highland Road West. Complaints of this nature are permitted under section 20 of the *Development Charges Act* (DCA). City of Kitchener Council has delegated authority to hear these complaints to the Finance and Corporate Services Committee as part of report COR-2022-498, Development Charges Section 20 Dispute and Hearing Process.

REPORT:

The complaint regarding DCs at 1438 Highland Road West was made after the timeframe spelled out in the DCA so it is staff's recommendation that no hearing be held, and the complaint be dismissed.

Section 20 (2) states that a complaint may not be made later than 90 days after the day the development charge, or any part of it, is payable. The DC complaint regarding 1438 Highland Road West was received on **November 26, 2025**.

A building permit for 1438 Highland Road West was issued by the City on May 20, 2022. Under the *DCA* there are provisions to make payments for certain types of development at later dates, but DCs become payable to the City at the time of building permit issuance. This means a formal DC complaint would have to be made no later than **August 18, 2022**.

Further, the complaint regarding DCs for 1438 Highland Road West was received well into the deferred payment schedule for the property. The first payment was due at occupancy which took place in September 2023. Additional payments were due on the anniversary date of occupancy in September 2024 and September 2025. All of these billed development charges are unpaid and remain outstanding.

Given the complaint was made after the 90-day window afforded in Section 20 of the *DCA*, staff recommended dismissing the complaint without holding a hearing. If Council chooses to go through with a hearing, this would be held at the next Finance and Corporate Services Committee meeting scheduled for January 25, 2026.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

The recommendation has no direct impact on the Capital or Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- COR-2022-498 Development Charges Section 20 Dispute and Hearing Process

APPROVED BY: Jonathan Lautenbach, Chief Financial Officer, Financial Services

Staff Report



Financial Services Department

www.kitchener.ca

REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: February 9, 2026

SUBMITTED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

PREPARED BY: Ryan Hagey, Director of Financial Planning & Asset Management, 519-904-9347

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: December 11, 2025

REPORT NO.: FIN-2026-017

SUBJECT: Savic Homes, 15 Dellroy Avenue – Section 20 Development Charges Complaint - Jurisdiction

RECOMMENDATION:

That the appeal to hold a hearing pursuant to section 20 of the *Development Charges Act* with relation to the development taking place at 15 Dellroy Avenue be dismissed as the complaint was not made within the appropriate timeframe.

REPORT HIGHLIGHTS:

- The purpose of this report is to determine whether Committee has jurisdiction to hear a complaint regarding development charges at 15 Dellroy Avenue.
- The key finding of this report is the complaint was made outside the 90-day timeframe spelled out in the *Development Charges Act*, so no hearing should be held.
- This report supports the delivery of core services.

BACKGROUND:

A complaint was filed with the City of Kitchener regarding the development charges (DCs) imposed for a development at 15 Dellroy Avenue. Complaints of this nature are permitted under section 20 of the *Development Charges Act (DCA)*. City of Kitchener Council has delegated authority to hear these complaints to the Finance and Corporate Services Committee as part of report COR-2022-498, Development Charges Section 20 Dispute and Hearing Process.

REPORT:

The complaint regarding DCs at 15 Dellroy Avenue was made after the timeframe spelled out in the *DCA* so it is staff's recommendation that no hearing be held, and the complaint be dismissed.

Section 20 (2) states that a complaint may not be made later than 90 days after the day the development charge, or any part of it, is payable. The DC complaint regarding 15 Dellroy Avenue was received on **December 5, 2025**.

A building permit for 15 Dellroy Avenue was issued by the City on March 17, 2025. Under the *DCA* there are provisions to make payments for certain types of development at later dates, but DCs become payable to the City at the time of building permit issuance. This means a formal DC complaint would have to be made no later than **June 15, 2025**.

Given the complaint was made after the 90-day window afforded in Section 20 of the *DCA*, staff recommended dismissing the complaint without holding a hearing. If Council chooses to go through with a hearing, this would be held at the next Finance and Corporate Services Committee meeting scheduled for January 25, 2026.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

The recommendation has no direct impact on the Capital or Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- COR-2022-498 Development Charges Section 20 Dispute and Hearing Process

APPROVED BY: Jonathan Lautenbach, Chief Financial Officer, Financial Services